

### § 195.3

*Production facility* means piping or equipment used in the production, extraction, recovery, lifting, stabilization, separation or treating of petroleum or carbon dioxide, or associated storage or measurement. (To be a production facility under this definition, piping or equipment must be used in the process of extracting petroleum or carbon dioxide from the ground or from facilities where CO<sub>2</sub> is produced, and preparing it for transportation by pipeline. This includes piping between treatment plants which extract carbon dioxide, and facilities utilized for the injection of carbon dioxide for recovery operations.)

*Rural area* means outside the limits of any incorporated or unincorporated city, town, village, or any other designated residential or commercial area such as a subdivision, a business or shopping center, or community development.

*Specified minimum yield strength* means the minimum yield strength, expressed in p.s.i. (kPa) gage, prescribed by the specification under which the material is purchased from the manufacturer.

*Stress level* means the level of tangential or hoop stress, usually expressed as a percentage of specified minimum yield strength.

*Supervisory Control and Data Acquisition (SCADA) system* means a computer-based system or systems used by a controller in a control room that collects and displays information about a pipeline facility and may have the ability to send commands back to the pipeline facility.

*Surge pressure* means pressure produced by a change in velocity of the moving stream that results from shutting down a pump station or pumping unit, closure of a valve, or any other blockage of the moving stream.

*Toxic product* means “poisonous material” as defined by §173.132 Class 6, Division 6.1-Definitions of this chapter.

*Unusually Sensitive Area (USA)* means a drinking water or ecological resource area that is unusually sensitive to environmental damage from a hazardous

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liquid pipeline release, as identified under § 195.6.

[Amdt. 195–22, 46 FR 38360, July 27, 1981; 47 FR 32721, July 29, 1982, as amended by Amdt. 195–33, 50 FR 15898, Apr. 23, 1985; 50 FR 38660, Sept. 24, 1985; Amdt. 195–36, 51 FR 15007, Apr. 22, 1986; Amdt. 195–45, 56 FR 26925, June 12, 1991; Amdt. 195–47, 56 FR 63771, Dec. 5, 1991; Amdt. 195–50, 59 FR 17281, Apr. 12, 1994; Amdt. 195–52, 59 FR 33395, 33396, June 28, 1994; Amdt. 195–53, 59 FR 35471, July 12, 1994; Amdt. 195–59, 62 FR 61695, Nov. 19, 1997; Amdt. 195–62, 63 FR 36376, July 6, 1998; Amdt. 195–63, 63 FR 37506, July 13, 1998; Amdt. 195–69, 65 FR 54444, Sept. 8, 2000; Amdt. 195–71, 65 FR 80544, Dec. 21, 2000; 68 FR 11749, Mar. 12, 2003; Amdt. 195–81, 69 FR 32896, June 14, 2004; Amdt. 195–82, 69 FR 48406, Aug. 10, 2004; 70 FR 11140, Mar. 8, 2005; Amdt. 195–93, 74 FR 63328, Dec. 3, 2009]

#### § 195.3 Incorporation by reference.

(a) Any document or portion thereof incorporated by reference in this part is included in this part as though it were printed in full. When only a portion of a document is referenced, then this part incorporates only that referenced portion of the document and the remainder is not incorporated. Applicable editions are listed in paragraph (c) of this section in parentheses following the title of the referenced material. Earlier editions listed in previous editions of this section may be used for components manufactured, designed, or installed in accordance with those earlier editions at the time they were listed. The user must refer to the appropriate previous edition of 49 CFR for a listing of the earlier editions.

(b) All incorporated materials are available for inspection in the Office of Pipeline Safety, Pipeline and Hazardous Materials Safety Administration, U.S. Department of Transportation, 1200 New Jersey Avenue, SE., Washington, DC, 20590–0001, 202–366–4595, or at the National Archives and Records Administration (NARA). For information on the availability of this material at NARA, call 202–741–6030 or go to: [http://www.archives.gov/federal\\_register/code\\_of\\_federal\\_regulations/ibr\\_locations.html](http://www.archives.gov/federal_register/code_of_federal_regulations/ibr_locations.html). These materials have been approved for incorporation by reference by the Director of the Federal Register in accordance with 5

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U.S.C. 552(a) and 1 CFR part 51. In addition, materials incorporated by reference are available as follows:

1. Pipeline Research Council International, Inc. (PRCI), c/o Technical Toolboxes, 3801 Kirby Drive, Suite 520, Houston, TX 77098.

2. American Petroleum Institute (API), 1220 L Street, NW., Washington, DC 20005.

3. ASME International (ASME), Three Park Avenue, New York, NY 10016-5990.

4. Manufacturers Standardization Society of the Valve and Fittings Indus-

try, Inc. (MSS), 127 Park Street, NE., Vienna, VA 22180.

5. American Society for Testing and Materials (ASTM), 100 Barr Harbor Drive, West Conshohocken, PA 19428.

6. National Fire Protection Association (NFPA), 1 Batterymarch Park, P.O. Box 9101, Quincy, MA 02269-9101.

7. NACE International, 1440 South Creek Drive, Houston, TX 77084.

(c) The full titles of publications incorporated by reference wholly or partially in this part are as follows. Numbers in parentheses indicate applicable editions:

Source and name of referenced material	49 CFR reference
A. Pipeline Research Council International, Inc. (PRCI): (1) AGA Pipeline Research Committee, Project PR-3-805, "A Modified Criterion for Evaluating the Remaining Strength of Corroded Pipe," (December 22, 1989). The RSTRENG program may be used for calculating remaining strength.	§§ 195.452(h)(4)(i)(B); 195.452(h)(4)(iii)(D); 195.587.
B. American Petroleum Institute (API): (1) ANSI/API Specification 5L/ISO 3183, "Specification for Line Pipe" (44th edition, October 2007, including errata (January 2009) and addendum (February 2009)). (2) API Recommended Practice 5L1, "Recommended Practice for Railroad Transportation of Line Pipe" (6th edition, July 2002). (3) API Recommended Practice 5LW, "Transportation of Line Pipe on Barges and Marine Vessels" (2nd edition, December 1996, effective March 1, 1997). (4) ANSI/API Specification 6D, "Specification for Pipeline Valves" (23rd edition, April 2008, effective October 1, 2008) and errata 3 (includes 1 & 2 (2009)). (5) API Specification 12F, "Specification for Shop Welded Tanks for Storage of Production Liquids" (11th edition, November 1, 1994, reaffirmed 2000, errata, February 2007). (6) API Standard 510, "Pressure Vessel Inspection Code: In-Service Inspection, Rating, Repair, and Alteration" (9th edition, June 2006). (7) API Standard 620, "Design and Construction of Large, Welded, Low-Pressure Storage Tanks" (11th edition, February 2008, addendum 1 March 2009). (8) API Standard 650, "Welded Steel Tanks for Oil Storage" (11th edition, June 2007, addendum 1, November 2008). (9) ANSI/API Recommended Practice 651, "Cathodic Protection of Aboveground Petroleum Storage Tanks" (3rd edition, January 2007). (10) ANSI/API Recommended Practice 652, "Linings of Aboveground Petroleum Storage Tank Bottoms" (3rd edition, October 2005). (11) API Standard 653, "Tank Inspection, Repair, Alteration, and Reconstruction" (3rd edition, December 2001, includes addendum 1 (September 2003), addendum 2 (November 2005), addendum 3 (February 2008), and errata (April 2008)). (12) API Standard 1104, "Welding of Pipelines and Related Facilities" (20th edition, October 2005, errata/addendum (July 2007), and errata 2 December 2008)). (13) API Recommended Practice 1130, "Computational Pipeline Monitoring for Liquids: Pipeline Segment" (3rd edition, September 2007). (14) API Recommended Practice 1162, "Public Awareness Programs for Pipeline Operators" (1st edition, December 2003). (15) API Recommended Practice 1165, "Recommended Practice for Pipeline SCADA Displays." (API RP 1165) First Edition (January 2007). (16) API Standard 2000, "Venting Atmospheric and Low-Pressure Storage Tanks Nonrefrigerated and Refrigerated" (5th edition, April 1998, errata, November 15, 1999). (17) API Recommended Practice 2003, "Protection Against Ignitions Arising Out of Static, Lightning, and Stray Currents" (7th edition, January 2008). (18) API Publication 2026, "Safe Access/Egress Involving Floating Roofs of Storage Tanks in Petroleum Service" (2nd edition, April 1998, reaffirmed June 2006). (19) API Recommended Practice 2350, "Overfill Protection for Storage Tanks in Petroleum Facilities" (3rd edition, January 2005). (20) API 2510, "Design and Construction of LPG Installations" (8th edition, 2001) ..... (21) API Recommended Practice 1168 "Pipeline Control Room Management," (API RP 1168) First Edition (September 2008).	<p>§§ 195.106(b)(1)(i); 195.106(e).</p> <p>§ 195.207(a).</p> <p>§ 195.207(b).</p> <p>§ 195.116(d).</p> <p>§§ 195.132(b)(1); 195.205(b)(2); 195.264(b)(1); 195.264(b)(2); 195.307(a); 195.565; 195.579(d).</p> <p>§§ 195.205(b)(3); 195.432(c).</p> <p>§§ 195.132(b)(2); 195.205(b)(2); 195.264(b)(1); 195.307(b).</p> <p>§§ 195.132(b)(3); 195.205(b)(1); 195.264(b)(1); 195.264(b)(2); 195.307(c); 195.307(d); 195.565; 195.579(d).</p> <p>§§ 195.565; 195.579(d).</p> <p>§ 195.579(d).</p> <p>§§ 195.205(b)(1); 195.432(b).</p> <p>§§ 195.222(a); 195.228(b); 195.214(a).</p> <p>§§ 195.134; 195.444.</p> <p>§§ 195.440(a); 195.440(b); 195.440(c).</p> <p>§ 195.446(c)(1).</p> <p>§§ 195.264(e)(2); 195.264(e)(3).</p> <p>§ 195.405(a).</p> <p>§ 195.405(b).</p> <p>§ 195.428(c).</p> <p>§§ 195.132(b)(3); 195.205(b)(3); 195.264(b)(2); 195.264(e)(4); 195.307(e); 195.428(c); 195.432(c).</p> <p>§ 195.446(c)(5), (f)(1).</p>

C. ASME International (ASME):	
(1) ASME/ANSI B16.9-2007, "Factory-Made Wrought Butt-Welding Fittings" (December 7, 2007) .....	\$ 195.118(a).
(2) ASME/ANSI B31.4-2006, "Pipeline Transportation Systems for Liquid Hydrocarbons and Other Liquids" (October 20, 2006).	\$ 195.452(h)(4)(i).
(3) ASME/ANSI B31G-1991 (Reaffirmed; 2004), "Manual for Determining the Remaining Strength of Corroded Pipelines."	§§ 195.452(h)(4)(i)(B); 195.452(h)(4)(iii)(D).
(4) ASME/ANSI B31.8-2007, "Gas Transmission and Distribution Piping Systems" (November 30, 2007) .....	\$ 195.5(a)(1)(i); 195.406(a)(1)(i).
(5) 2007 ASME Boiler & Pressure Vessel Code, Section VIII, Division 1 "Rules for Construction of Pressure Vessels" (2007 edition, July 1, 2007).	\$ 195.124; 195.307(e).
(6) 2007 ASME Boiler & Pressure Vessel Code, Section VIII, Division 2 "Alternate Rules, Rules for Construction of Pressure Vessels" (2007 edition, July 1, 2007).	\$ 195.307(e).
(7) 2007 ASME Boiler & Pressure Vessel Code, Section IX: "Qualification Standard for Welding and Brazing Procedures, Welders, Brazers, and Welding and Brazing Operators," (2007 edition, July 1, 2007).	\$ 195.222(a).
D. Manufacturers Standardization Society of the Valve and Fittings Industry, Inc. (MSS):	
(1) MSS SP-75-2004, "Specification for High Test Wrought Butt Welding Fittings."	\$ 195.118(a).
(2) [Reserved] .....	
E. American Society for Testing and Materials (ASTM):	
(1) ASTM A53/A53M-07, "Standard Specification for Pipe, Steel, Black and Hot-Dipped, Zinc-Coated Welded and Seamless" (September 1, 2007).	\$ 195.106(e).
(2) ASTM A106/A106M-08, "Standard Specification for Seamless Carbon Steel Pipe for High-Temperature Service" (July 15, 2008).	\$ 195.106(e).
(3) ASTM A333/A 333M-05, "Standard Specification for Seamless and Welded Steel Pipe for Low-Temperature Service."	\$ 195.106(e).
(4) ASTM A381-96 (Reapproved 2005), "Standard Specification for Metal-Arc-Welded Steel Pipe for Use With High-Pressure Transmission Systems" (October 1, 2005).	\$ 195.106(e).
(5) ASTM A671-06, "Standard Specification for Electric-Fusion-Welded Steel Pipe for Atmospheric and Lower Temperatures" (May 1, 2006).	\$ 195.106(e).
(6) ASTM A672-08, "Standard Specification for Electric-Fusion-Welded Steel Pipe for High-Pressure Service at Moderate Temperatures" (May 1, 2008).	\$ 195.106(e).
(7) ASTM A691-98 (reapproved 2007), "Standard Specification for Carbon and Alloy Steel Pipe Electric-Fusion-Welded for High-Pressure Service at High Temperatures."	\$ 195.106(e).
F. National Fire Protection Association (NFPA):	
(1) NFPA 30, "Flammable and Combustible Liquids Code" (2008 edition, approved August 15, 2007) .....	\$ 195.264(b)(1).
(2) [Reserved] .....	
G. NACE International (NACE):	
(1) NACE SP0169-2007, Standard Practice, "Control of External Corrosion on Underground or Submerged Metallic Piping Systems" (reaffirmed March 15, 2007).	§§ 195.571; 195.573(a)(2).
(2) NACE SP0502-2008, Standard Practice, "Pipeline External Corrosion Direct Assessment Methodology" (reaffirmed March 20, 2008).	\$ 195.588.

## § 195.4

[Amdt. 195-22, 46 FR 38360, July 27, 1981; 47 FR 32721, July 29, 1982]

EDITORIAL NOTE: For FEDERAL REGISTER citations affecting § 195.3, see the List of CFR Sections Affected, which appears in the Finding Aids section of the printed volume and on GPO Access.

### § 195.4 Compatibility necessary for transportation of hazardous liquids or carbon dioxide.

No person may transport any hazardous liquid or carbon dioxide unless the hazardous liquid or carbon dioxide is chemically compatible with both the pipeline, including all components, and any other commodity that it may come into contact with while in the pipeline.

[Amdt. 195-45, 56 FR 26925, June 12, 1991]

### § 195.5 Conversion to service subject to this part.

(a) A steel pipeline previously used in service not subject to this part qualifies for use under this part if the operator prepares and follows a written procedure to accomplish the following:

(1) The design, construction, operation, and maintenance history of the pipeline must be reviewed and, where sufficient historical records are not available, appropriate tests must be performed to determine if the pipeline is in satisfactory condition for safe operation. If one or more of the variables necessary to verify the design pressure under § 195.106 or to perform the testing under paragraph (a)(4) of this section is unknown, the design pressure may be verified and the maximum operating pressure determined by—

(i) Testing the pipeline in accordance with ASME B31.8, Appendix N, to produce a stress equal to the yield strength; and

(ii) Applying, to not more than 80 percent of the first pressure that produces a yielding, the design factor F in § 195.106(a) and the appropriate factors in § 195.106(e).

(2) The pipeline right-of-way, all aboveground segments of the pipeline, and appropriately selected underground segments must be visually inspected for physical defects and operating conditions which reasonably could be expected to impair the strength or tightness of the pipeline.

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(3) All known unsafe defects and conditions must be corrected in accordance with this part.

(4) The pipeline must be tested in accordance with subpart E of this part to substantiate the maximum operating pressure permitted by § 195.406.

(b) A pipeline that qualifies for use under this section need not comply with the corrosion control requirements of subpart H of this part until 12 months after it is placed into service, notwithstanding any previous deadlines for compliance.

(c) Each operator must keep for the life of the pipeline a record of the investigations, tests, repairs, replacements, and alterations made under the requirements of paragraph (a) of this section.

[Amdt. 195-22, 46 FR 38360, July 27, 1981, as amended by Amdt. 195-52, 59 FR 33396, June 28, 1994; Amdt. 195-173, 66 FR 67004, Dec. 27, 2001]

### § 195.6 Unusually Sensitive Areas (USAs).

As used in this part, a USA means a drinking water or ecological resource area that is unusually sensitive to environmental damage from a hazardous liquid pipeline release.

(a) An USA drinking water resource is:

(1) The water intake for a Community Water System (CWS) or a Non-transient Non-community Water System (NTNCWS) that obtains its water supply primarily from a surface water source and does not have an adequate alternative drinking water source;

(2) The Source Water Protection Area (SWPA) for a CWS or a NTNCWS that obtains its water supply from a Class I or Class IIA aquifer and does not have an adequate alternative drinking water source. Where a state has not yet identified the SWPA, the Wellhead Protection Area (WHPA) will be used until the state has identified the SWPA; or

(3) The sole source aquifer recharge area where the sole source aquifer is a karst aquifer in nature.

(b) An USA ecological resource is:

(1) An area containing a critically imperiled species or ecological community;

(2) A multi-species assemblage area;